

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Donald E. Barrick et al.

Serial No.: 10/027,161

Filed: December 19, 2001

For: OCEAN SURFACE CURRENT MAPPING  
WITH BISTATIC HF RADAR

Group Art Unit: 3662

Examiner: Unknown

Atty. Dkt. No.: CODA:002US

22387 U.S. PTO  
10/694154



CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:	
June 27, 2002	
Date	
	Steven L. Highlander

**RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Reply (Nonprovisional) dated April 4, 2002, there are enclosed herewith:

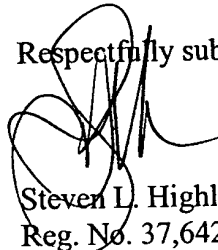
- (a) Substitute Drawings, Figures 1-6 on 6 pages;
- (b) Our check in the amount of \$200.00 to cover the extension fee for late filing;
- (c) A copy of Notice of Incomplete Reply (Nonprovisional); and
- (d) A Request for Extension of Time of two months to and including June 27, 2002.

Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10200906/SLH.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Steven L. Highlander  
Reg. No. 37,642  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: June 27, 2002

17414 U.S. PTO  
102703

CERTIFICATE OF EXPRESS MAIL	
NUMBER	EV 323284326 US
DATE OF DEPOSIT	October 27, 2003

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Atty. Dkt. No.: CODA:002USC1**

**Prior Application Examiner:  
Sotomayor, John G.**

**BOX PATENT APPLICATION**  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Classification Designation:  
Unknown**

**Prior Group Art Unit: 3662**

**REQUEST FOR FILING CONTINUATION APPLICATION  
UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a continuation application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 10/027,161 filed December 19, 2001, entitled "OCEAN SURFACE CURRENT MAPPING WITH BISTATIC HF RADAR."

- ☒ 1. Enclosed is a copy of the prior application Serial No. 10/027,161 as originally filed, including specification, claims, abstract, and informal drawings. A copy of the signed inventors' declaration is also enclosed. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or

both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) ☒ The inventorship is the same as prior Application Serial No. 10/027,161.

(b) ☐ Deletion of inventor(s). Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. § 1.63(d)(2) and 1.33(b).

(c) ☐ Priority of foreign patent application number , filed in is claimed under 35 U.S.C. § 119(a)-(e). The certified copy:

☐ is enclosed.

☐ has been filed in the prior Application Serial No.

☐ 2. The Commissioner is requested to grant Applicant a filing date in accordance with Rule 1.53, and supply Applicant with a Notice of Missing Parts in due course, in accordance with the provisions of Rule 1.53(f).

☒ 3. Enclosed is a check in the amount of \$375.00 to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Part No. 9 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION  
LESS CLAIMS CANCELED BELOW

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$375.00
Total Claims	19 - 20 =	0 X	\$9.00 =	\$ .00
Independent Claims	3 - 3 =	0 X	\$42.00 =	\$ .00
Multiple Dependent Claim(s) -----				\$-0-.00

		<b>TOTAL FILING FEES:</b>		<b>\$375.00</b>
<b>FOR</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>	<b>FEE</b>

- ☒ 4. Applicant is entitled to Small Entity Status for this application.
- ☐ (a) A small entity statement is enclosed.
- ☒ (b) A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- ☐ (c) Small entity status is no longer claimed.
- ☒ 5. If the check is missing or insufficient, the Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this application, or credit any overpayment to Fulbright & Jaworski L.L.P. Account No.: 50-1212/CODA:002USC1/MCB.
- ☒ 6. Enclosed is a copy of the current Power of Attorney in the prior application.

- ☒ 7. Address all future communications to:
- Michael C. Barrett, Esq.  
FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
Telephone: 512/536-3018
- ☒ 8. The prior application is presently assigned to CODAR OCEAN SENSORS, LTD..
- ☒ 9. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at No. 3 above and said fee has been calculated after calculation of claims and after amendment of claims by the preliminary amendment.
- ☐ 10. Cancel in this application claims of the prior application before calculating the filing fee. (At least one original independent claim must be retained).
- ☐ 11. Amend the specification by inserting before the first line the sentence: --This is a continuation of co-pending application Serial No. filed --.
- ☐ 12. Enclosed are formal drawings.
- ☐ 13. An Information Disclosure Statement (IDS) is enclosed.
- ☐ (a) PTO-1449.
- ☐ (b) Copies of IDS citations.
- ☐ 14. Transfer the sequence information, including the computer readable form previously submitted in the parent application, Serial No. filed , for use in this application. **Under 37 C.F.R. § 1.821(e), Applicant states that the paper copy of the sequence listing in this application is identical to the computer readable copy in parent application Serial No. filed . Under 37 C.F.R.**

§ 1.821(f), Applicant also states that the information recorded in computer readable form is identical to the written sequence listing.

- ☒ 15. Other: A copy of Substitute Drawings, FIGS. 1-6 on 6 sheets, as-filed on June 27, 2002.
- ☒ 16. Return Receipt Postcard (should be specifically itemized).

Respectfully submitted,

*Michael C. Barrett*

Michael C. Barrett  
Reg. No. 44,523  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
Telephone: 512/536-3018

Date: October 27, 2003